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COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Australia, Austria, Belgium*, Canada, Denmark*, Finland, France, Germany, Hungary, Ireland*, Italy, Japan, Netherlands, Norway*, Sweden*, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Situation of human rights in the Sudan,

The Commission on Human Rights,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Recalling its resolution 1993/60 of 10 March 1993 as well as General Assembly resolutions 47/142 of 18 December 1992 and 48/147 of 20 December 1993 on the situation in the Sudan,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Noting with deep concern reports of grave human rights violations in the Sudan, particularly summary executions, detentions without trial, forced displacement of persons and torture, as described in, inter alia, the reports submitted to the Commission on Human Rights at its forty-eighth session by the Special Rapporteur on the question of torture and the Special Rapporteur on extrajudicial, summary or arbitrary executions, at its forty-ninth session by the Special Rapporteur on the question of religious intolerance and at its fiftieth session by the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the question of torture,

Noting also with concern the latest report of the Special Rapporteur on the situation of human rights in the Sudan (E/CN.4/1994/48),

Disturbed by the failure of the Government of the Sudan to provide a full impartial investigation and report of the killings of Sudanese employees of foreign Government relief organizations, despite the announcement during 1993 by the Government of the Sudan of its intention to convene an independent judicial inquiry commission, which would issue such a report,

Noting the widespread conditions of armed conflict existing within the Sudan, whose continuation only exacerbates the deterioration of the human rights situation, leading to further violations by all sides in the conflict,

Welcoming the efforts of the United Nations and other humanitarian organizations to provide humanitarian relief to those Sudanese in need,

Deeply concerned that access by the civilian population to humanitarian assistance has been impeded, but hoping the recent dialogue between the Government of the Sudan, donor Governments and international non-governmental organizations will result in improved delivery of humanitarian aid,

Deeply concerned also about increasing air attacks by the Sudanese air force in southern Sudan resulting in great harm and injury to the civilian population,

Alarmed by the large number of internally displaced persons, notably in the Nuba mountain region, and victims of discrimination in the Sudan, including women, children, and members of minorities, who have been forcibly displaced in violation of their human rights,

Conscious of the burden of the continued mass exodus of refugees into neighbouring countries, but expressing its appreciation for the international efforts to assist them, thereby easing the burden on host countries,

Emphasizing that it is essential to put an end to the serious deterioration of the human rights situation in the Sudan,

1. Expresses its thanks to the Special Rapporteur for his most recent report;

2. Expresses its deep concern at the continuing and serious human rights violations in the Sudan, including summary executions, detentions without due process, abductions, forced displacement of persons and torture;

3. Urges the Government of the Sudan to respect fully human rights, and calls upon all parties to cooperate in order to ensure such respect;

4. Notes with displeasure the interference by the Government of the Sudan with the visit to the Sudan of the Special Rapporteur during September 1993;

5. Calls upon the Government of the Sudan to comply with applicable international human rights instruments and to bring its national legislation in accordance with such instruments to which the Sudan is a party, in particular the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, the Slavery Convention, as amended, and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, and to ensure that all individuals in its territory and subject to its jurisdiction, including members of all religious and ethnic groups, enjoy fully the rights recognized in these instruments;

6. Also calls upon the Government of the Sudan to explain without delay the circumstances of the recent air attacks on civilian targets in southern Sudan;

7. Notes with appreciation, in this connection, the current regional efforts of the heads of State of the Intergovernmental Authority on Drought and Development (Kenya, Uganda, Ethiopia and Eritrea) to assist parties to the conflict in the Sudan to reach a peaceful settlement;

8. Urges all parties to the conflict to agree to an immediate cease-fire and to cooperate fully with the present regional initiative of the heads of State of the Intergovernmental Authority on Drought and Development (Kenya, Uganda, Ethiopia and Erithrea);

9. Strongly urges all parties to the hostilities to redouble their efforts to negotiate an equitable solution to the civil conflict to ensure respect for the human rights and fundamental freedoms of the Sudanese people, thereby creating the necessary conditions to end the exodus of Sudanese refugees to neighbouring countries and facilitating their early return to the Sudan, and welcomes efforts to facilitate dialogue among the parties to that end;

10. Also calls upon parties to the hostilities to respect fully the applicable provisions of international humanitarian law, including article 3 common to the Geneva Conventions of 1949 and the additional protocols thereto of 1977, to halt the use of weapons against the civilian population, to protect all civilians, including women, children and members of minorities, from violations, including forcible displacement, arbitrary detention, abductions, ill-treatment, torture and summary execution;

11. Calls upon the Government of the Sudan to ensure a full, thorough and prompt investigation by the independent judicial inquiry commission of the killings of Sudanese employees of foreign relief organizations, to bring to justice those responsible for the killings and to provide just compensation to the families of the victims;

12. Also calls upon the Government of the Sudan and all parties to the conflict to permit international agencies, humanitarian organizations and donor Governments to deliver humanitarian assistance to the civilian population and to cooperate with the initiatives of the Department of Humanitarian Affairs of the United Nations Secretariat to deliver assistance to all persons in need;

13. Decides to extend the mandate of the Special Rapporteur for an additional year;

14. Requests the Secretary-General to continue to give the Special Rapporteur all necessary assistance in the discharge of his mandate;

15. Calls upon the Government of the Sudan to extend its full and unreserved cooperation and to assist the Special Rapporteur in the ongoing discharge of his mandate and, to this end, to take all necessary steps to ensure that the Special Rapporteur has free and unlimited access to any person in the Sudan with whom he wishes to meet, with no threats or reprisals;

16. Requests the Special Rapporteur to report his findings and recommendations to the General Assembly at its forty-ninth session and to the Commission on Human Rights at its fifty-first session;

17. Decides to consider the situation of human rights in the Sudan at its fifty-first session under the same agenda item.